

The East Oregonian has the largest bona fide and guaranteed paid circulation of any paper in Oregon, east of Portland and by far the largest circulation in Pendleton of any newspaper.



Tonight fair, light frost; Sunday fair. YESTERDAY'S WEATHER DATA. Maximum temperature, 74; minimum, 41; rainfall, 0; wind, west, fresh; weather, clear.

WAITE CASE IN HANDS OF JURY THIS AFTERNOON

Fate of Self-Confessed Murderer Likely to be Known Before Night; Unmoved in Court.

ALIENISTS SAY HE IS SANE

Admit, However, That he is not Normal and Classify Him as a Born Criminal; Defendant Listens Without Emotion as he is Denounced by Prosecutor.

WAITE FOUND GUILTY.

NEW YORK, May 27.—Arthur Warren Waite was convicted of first degree murder at 2 o'clock this afternoon for killing his father-in-law, John Peck, with poison and germs. He will be sentenced Thursday to electrocution. He received the verdict calmly. Two bailiffs brought him into the court room when the jurors filed in after an hour and a half of deliberation. He stood unflinchingly while the jury was polled. The only sign of emotion was when, replying to the customary questions, he spoke so low that the bailiff forced him to repeat his words. Waite's father was overwhelmed with emotion and wept wildly. The other sons vainly tried to comfort him.

NEW YORK, May 27.—The prosecution and defense both rested in the murder trial of Waite at 11 o'clock this morning. The case probably will go to the jury this afternoon. Waite may know his fate tonight.

The jury retired at 1:30 this afternoon. Without emotion Waite gazed at the prosecutor and his brothers steadily when he heard himself denounced as a cruel, cunning murderer. He was similarly unmoved during the address of the defense attorney.

Three state alienists declared positively that they believed Waite was sane when he committed the crime and was sane now. They admitted he was not normal and classified him as a born criminal. The defense set aside eagerly upon these assertions and declared that the state experts really believed that Waite was sane. The prosecutor ridiculed Waite's insanity. "Is this the kind of man you want sent to Matteawan where he will walk to freedom some morning when the milkman comes around?"

The defense objected to this reference to the "milkman" case and the remarks were stricken from the record. His brothers charged that Waite had ruined Mrs. Horton's life and lured her from her husband. They declared that except for the mysterious K. Adams who sent a telegram throwing suspicion on Waite, he might be still walking the streets without a suspicion of insanity.

Russian Treaties Present Problem to United States

NEGOTIATIONS TO BE DIFFICULT BECAUSE OF FORMER ATTITUDE.

(By Phillip Simms.)

PETROGRAD, May 27.—The United States faces tremendous difficulties in attempting to negotiate a new commercial treaty with Russia to replace the one abrogated by the Taft administration because of the Jewish question. It was learned on highest authority today. Negotiations were begun six months ago, as the allies are now perfecting a trade agreement among themselves. Until this is concluded Russia will not make outside arrangements. If a treaty is accomplished it must confine itself to economics and not enter a discussion of Russia's internal affairs.

Count Kokovtsov, former premier and minister of finance, in an exclusive interview with the United Press made it plain that Russia would not consider a treaty if treatment of the Jews was made an issue.

"America must realize that Russia cannot entertain outside suggestions regarding its internal affairs. Americans must come like any others leaving Russia to settle its interior problems."

"I am not anti-Jew. My record is a proof of this. I admire America. I welcome American cooperation in building industries, railroads and opening the vast resources of raw material of every sort. Before the war Germany had made no special demands on Russia. Having ulterior motives, Germany scattered the wildest stories against Russia, making trouble, and in the meanwhile virtually monopolizing trade."

Tri-State Co. Has Tentative Scheme For Grain Cleaning Plant Located in Pendleton

To establish a wheat cleaning and grading plant in Pendleton for the purpose of cleaning wheat to be shipped east in bulk is being actively discussed in farmers union circles and it is said that tentative plans for such an establishment are likely to be carried out.

If the enterprise is carried through it will mean an important new industry for Pendleton and that a large part of the wheat of the inland empire will be shipped east via Pendleton and here cleaned and graded in transit. The plan contemplated at present calls for use of the property on East Webb street, owned by the Farmers Union. The property provides track arrangements with both railroads and is adapted to the purpose of a cleaning plant.

It is thought a \$50,000 investment will answer the purpose for this season and it is possible a less sum may be sufficient to get the plant in operation. The business will be established and operated by the Tri-State Terminal Warehouse Co. and it is planned to have the company buy grain direct, then clean and grade it and sell in the

east. Buyers from the east have promised to have agents here to represent them.

The proposal for a cleaning plant here is based on the fact that considerable loss occurs from shipping uncleaned wheat east. As there exists uncertainty as to the exact quality of the grain, it is impossible to sell it at fair prices on the Atlantic. The situation has led to a suggestion from Portland that a rate be secured where by the wheat can be cleaned in transit in Portland and then sold in the east on a graded basis.

It is argued however, that Pendleton is a more logical place for a cleaning plant inasmuch as a 500 mile haul would be saved and hence a better rate east enjoyed. Another aspect of the affair is that such a plant here would be of aid in promoting the use of grain in bulk.

There is a feeling that Portland and Sound interests are unfriendly to bulk grain because the sack business is profitable to them. With a cleaning and grading establishment here under farmers' union control it is said a competition would be provided with benefit to the grain growers.

Judge Phelps Refuses to Order Parkes to Grant Change of Venue in Case Against Mayor J. A. Best

Circuit Judge G. W. Phelps this morning handed down a decision and opinion in which he refused to order Justice of the Peace Joe H. Parkes to grant a change of venue to Mayor J. A. Best for the trial of the latter on a charge of vagrancy.

Judge Phelps holds in effect that his court has no power to mandamus the justice of the peace under the law.

The law states that a court may grant a change of venue when an affidavit is made charging that a fair and impartial trial cannot be held. Mayor Best's attorneys contended that the "may" should be construed as "must," thus making it mandatory upon the justice court to grant the change when such affidavit is made. District Attorney Steiner contended that it was discretionary with the court.

Judge Phelps in his opinion states that it has been repeatedly held by the supreme court that the right to change a place of trial rests in the sound discretion of the trial court and that the ruling of this court will not be disturbed on an appeal unless it

is clear that there was an abuse of discretion.

Where any of the statutory causes for a change exist, Judge Phelps holds that the trial court is bound to allow the motion, but as to whether or not the cause does exist in fact the court is vested with discretion subject to review only for the abuse of this discretion. A writ of mandamus is intended by law to compel a court to perform some duty enjoined by law and not to control judicial discretion, he holds. Therefore, he ordered the writ issued in the case to be quashed and overruled the demurrer filed by the mayor.

It is possible that Mayor Best can appeal from Judge Phelps' decision to the supreme court in which event it would probably be November before the case could be brought to trial. Unless the mayor does appeal now, he must stand trial before Justice of the Peace Parkes.

In Persia there grows a weed the seed pods of which have long horns that enter the nostrils of grazing animals and frequently kill them by preventing them from eating or drinking.

Members of Largest Class in History of High School Get Coveted Diplomas Last Night

With not less than 800 relatives and friends of the 55 graduates in attendance at the commencement program of the high school last evening, the capacity of the large auditorium was taxed to the very limit. Those in attendance had the pleasure of seeing the exit from the school of the largest graduating class in history and of listening to a brilliant commencement program, the chief address being by Dr. S. B. L. Penrose of Whitman College.

Dr. Penrose developed the idea that there is an implied contract between the community and students of the high school and that in return for the educational advantages given them it is incumbent upon students to show civic loyalty, uphold advanced principles and generally perform the duties of educated men and women. He complimented the class and the high school and predicted that the future influence of the members in the city will be such as to compensate for the cost of their education.

Dr. Penrose was introduced by Superintendent A. C. Hampton, who was called upon for that purpose by Principal L. P. Gambee, who presided during the program. Mr. Hampton characterized the speaker as one of the most able educators of the northwest.

The presentation of the diplomas was by J. V. Tallman, chairman of the school board, who is now retiring from office after 10 years of service on the board. Mr. Tallman spoke in some detail of the upbuilding of the local schools in the last decade and particularly of the establishment of the practical courses in the high school.

Miss Marguerite Straughan of the graduating class, gave a pleasing exhortation and the valedictory was by Emil Selbert who called upon his classmates to search for the real gold of life and to live up to the responsibilities devolving on the class because of the advantages of the school work.

Some excellent musical numbers gave variety to the evening's program. Miss Thelma Thompson played the processional and following the invocation by Rev. H. H. Hubbell, pastor of the Christian church, two selections were given by the girls glee club, directed by Miss Norma Graves.

Other features of the musical program were a piano solo, "Gypsy Rhondo," by Margaret Colesworthy; a vocal solo, "The Sacrament," by Miss Edna Zimmerman; a solo, "Woman Is Changeable," by Walter Rose; and a solo, "Little Figlet," by Miss Edna Counts. The accompanists were Mrs. E. F. Averill and Miss Mae Poulson. The benediction was given by Rev. E. R. Cleveenger, pastor of the Baptist church.

The complete list of those in the graduating class is as follows: Hazel Estelle Adams, M. Angela Bowler, Wilbur F. Badley, Claude Baker, John F. Bixby, Irma G. Belles, Ernest L. Boylen, Paul G. Callison, Jesse L. Chesnut, Arlaine E. Cleveenger, William Payne Chisholm, Lela C. Cole, E. Margaret B. Colesworthy, Everett E. Daubner, Fanchon E. Elliott, Ned E. Fowler, Gladys M. Flanagan, Ben E. Gerking, Charles A. Gordon, J. Wesley Hassell, Mabel A. Hampton, Freeman O. Hendricks, Jeanette W. Jack, Paul V. Kerriek, Henry P. LaTournele, Myrtle E. Sydnall, Katharine Whitehead, Jesse L. Wood, Joseph L. Wilcox, L. Raymond Wilks, Arnold H. Minns, Wesley M. Mims, Sidney A. Morton, Claudine O. McMonies, Marcus W. May, Laura Mabel McCoppell, Claire E. Myers, Rosa C. Monasterelli, Kathleen Elizabeth McPaul, Joseph Narkaus, Bertha C. Pruitt, Emily A. Quant, Edith M. Richardson, Donald T. Robinson, Fred C. Russell, Jean D. Reber, Chester A. Reed, Frances Paulene Rice, Marguerite Straughan, Esther Elizabeth Shea, Nellie V. Sloan, Bula M. Smith, Emil E. Selbert, Catherine O. Thompson, Pearl Irene Taylor.

MARREN GIVEN FROM 1 TO 15 YEARS IN PEN

Three sentences were imposed this morning by Circuit Judge Phelps William O. "Whitey" Marren, convicted of manslaughter for the death of Wendell C. Phillips of Spokane, was given an indeterminate sentence in the penitentiary from one to 15 years. Gerhart Gorges, who pleaded guilty to the larceny of grain sacks, was sentenced from one to seven years and J. B. Clark, who pleaded guilty to simple larceny, was given a fine of \$100 or 50 days in jail. The sentence given Marren was the one provided by statute, the judge having no discretion in the matter. Will M. Peterson, attorney for Marren, stated that he would take up the matter of a parole with the state parole officers.

A stay of execution was granted Gorges pending the filing of an application for parole. Clark, who had stolen some hats from the Max Baer store, agreed to plead guilty to a lesser charge than that made in the indictment.

Plans Under Way For Celebrating the 4th of July

BOARD OF MANAGERS OF COMMERCIAL ASSOCIATION NAMES COMMITTEE.

Pendleton will celebrate the Fourth of July.

This was definitely decided upon yesterday afternoon at a meeting of the board of managers of the Commercial association and a committee, consisting of Willard Bond, chairman; Guy Mallock, Earl Power, Lee D. Drake and Bertrand Jensen, was named to have full charge of preparations. No definite plans have yet been made for the celebration but the committee will call a mass meeting of citizens soon to secure an interchange of ideas. There is some sentiment for a two-day celebration and many are strongly in favor of arranging a big program of entertainment that will be free to all visitors.

Wheat Takes Drop at Close of Market

CHICAGO, May 27.—(Special to the East Oregonian)—Today's range of prices:

	Open	High	Close
July	\$1.09 1/4	\$1.09 3/4	\$1.07 1/2
May	\$1.11 1/4	\$1.11 1/2	\$1.08 3/4

Portland, Ore., May 27.—(Special)—Club, 90; bluestem \$1.01 bid. \$1.04 asked.

Liverpool. LIVERPOOL, May 26.—Wheat—Spot No. 1 Manitoba 11s 11d (\$1.73 2-5 per bu.), No. 2, 11s 9d; No. 3, 11s 7d; No. 1 northern spring, 11s 10d; No. 2 red western winter, 11s 5d (\$1.66 1-4 per bu.).

Turks Aiding Germans on the Yser



TURKISH INFANTRY. In an effort to break through the British lines on the Yser and to get to Calais, the Germans have brought their Turkish allies from the Balkans in Asia Minor preparatory to entraining for the western front. Note that the Turkish troops are wearing steel helmets of the German type.

United States Expects to Receive Favorable Reply to Note on Mail Seizures

WASHINGTON, May 27.—Officials expect an early and satisfactory response to the American mail seizure protest to England and France. Secretary Lansing indicated today that conversations with the British ambassador conveyed the impression that England intends to comply.

One official said: "England's intentions are good but its administrative system is faulty. The seizures were conducted despite pledges to refrain."

America will enforce claims for damages incurred by the seizures. Even American official mails were outraged, it is charged. The note does

not cite a time for a discontinuance of the seizures, hence it is not classed as an ultimatum.

LONDON, May 27.—Foreign officials refused to comment on the cable summaries of the American mail seizure note. The text has not yet been received.

WITHDRAWAL TO BE PASSED OVER AT CONFERENCE

FUNSTON ORDERS PERSHING NOT TO DISCUSS IT WITH GAVIERE.

WASHINGTON, May 27.—Funston instructed Pershing not to discuss the withdrawal of American troops from Mexico at the coming conference with Gaviere at Naniquipa.

Funston directed Pershing to confine his talk to a discussion of Mexican and American cooperation in hunting bandits. Pershing reported that he desired Gaviere to come to Naniquipa believing he could convince him that with actual cooperation banditry in northern Mexico could be stamped out. Pershing reported seeing no movements of large Carranzista forces and said there were no indications that the natives were armed or incited to revolt.

SANITARY CONDITIONS AT RIETH UNDERGO INSPECTION

In answer to complaints made by a railroadmen's organization, Dr. D. J. McFaul, county health officer, yesterday made an inspection of the general sanitary conditions at Rieth (Pilot Rock Junction) with particular regard for a hotel that had been complained against.

According to the doctor he found the hotel to be scrupulously clean and the only order given by him was for the construction of some sort of sewerage facility for an eating place owned by George Geanakopolis. It was feared danger might arise during the summer under present conditions and therefore steps were ordered taken to remedy the situation. The property owner promised to start work at once.

Pendleton Stays in Blue Mountain League This Year

TEAM WILL REMAIN IN THE FIELD UNTIL END OF SCHEDULED SEASON.

The Blue Mountain League is not dead and Pendleton will have a team in the field until the end of the scheduled season. When the situation was put up squarely to this city it only took a short time to eliminate all of the obstacles that have been in the way of a continuance of the league.

Manager McGarrigle disbanded his team a week ago because an effort had been made to give him proper financial support. A league meeting was called for this city Wednesday evening but through lack of organized effort those interested here did not attend. Then it was that the other towns in the league declared in favor of disbanding the league and made it known that the responsibility rest upon Pendleton.

A meeting of the board of managers of the Commercial association was called yesterday afternoon and within five minutes it was decided that the league must be maintained. The financial backing was guaranteed on the spot, half of the money necessary was pledged at the meeting by individual members and the other half was raised within the hour.

Manager McGarrigle was notified and promptly promised to get his team together. The other towns in the league were likewise notified at once and the league was again alive and healthy. Pendleton's team will go to Echo to play tomorrow and Pilot Rock will play Weston.

NEWS SUMMARY

General. Waite is found guilty of murder in New York. United States faces problem in getting treaty with Russia. General Gallieni is dead in Paris. United States expects to receive favorable reply to note on mail seizures.

Local. Marren given one to 15 years in penitentiary. Pendleton will observe Fourth of July. Phelps refuses to order change of venue for Mayor Best.

DECORATION DAY WILL BE FULLY OBSERVED HERE

PLANS HAVE BEEN COMPLETED; BUSINESS TO SUSPEND PART OF DAY.

Plans and preparations for the observance of Decoration Day next Tuesday have been completed by the city authorities and the G. A. R. The stores will close between 9:30 and 1 o'clock and all business will be suspended while honor is paid to the dead.

A parade, headed by the band, will lead the way to the cemetery. The crowd will assemble at the court house at 10 o'clock and autos will be taken there for the cemetery. Councilman Polson is trying to enlist as many autos as possible so that none will be compelled to walk to the cemetery.

Upon arriving at the cemetery there will be special music and a memorial address will be made by Rev. Bigby, a G. A. R. veteran. A general invitation has been extended to all churches and lodges to participate in the observance.

John Gurdane, 92 years old and chief mustering officer for the department of Oregon G. A. R., will preside at the cemetery and the veterans of Kit Carson Post will be under the command of Commander S. P. Hutchinson. The veterans will ride to the cemetery in specially decorated cars. The cemetery committee of the council has made big improvements at the graveyard this year and the citizenship is invited to attend the exercises and note the changes made.

Bulk Grain Being Considered Today by Farmers Union

OTHER IMPORTANT MATTERS DISCUSSED AT SEMI-ANNUAL MEETING.

Various subjects of importance to the Farmers' union are being considered here today at the semi-annual meeting of the executive board of the general organization for Oregon and southern Idaho. Among the topics for consideration are the making of arrangements for a Tri-State meeting in Seattle early in June, the subject of bulk grain and the matter of the rural credits bill being drafted for submission to the voters this fall. It is proposed to run an excursion to Seattle and the delegates from this section will leave here on June 4.

On the subject of bulk grain a report was received of the erection by the Farmers' Union at Condon of a \$50,000 grain elevator. The contract for the structure has been let to a Salt Lake firm.

Plans for the county picnic are also being discussed at the executive board meeting and the work of arranging for the picnic will be taken up by the different members following the adjournment. It is possible that this year Umatilla county will join with Union and Wallawa counties in a joint picnic at Wallawa lake.

The executive board sessions are being held at the Farmers' Union Grain agency and the following members are in attendance from the two states; J. D. Brown, president, Arlington; P. A. Sykes, secretary, Corvallis; E. R. Booe, Fairfield, Idaho; Wilson K. Perry, Dayton, Ore.; J. T. Adkinson, The Dalles; W. O. Parks, Elgin, and W. W. Harrah, Pendleton.

HILL'S ILLNESS MAY MEAN OPERATION SAY DOCTORS

ST. PAUL, May 27.—Dr. Mayo may operate on James J. Hill, the family physician admitted today. It possibly will be necessary to open the intestinal canal. Hill passed a perfect night. The physicians are awaiting developments, it was announced.